ED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Carpenter et al.

Confirmation No.

5405

Application No.:

09/769,670

Group Art Unit:

2831

Filed:

01/25/2001

Examiner:

Patel, Dhirubhai

R.

For:

Grounding System for Floating Attorney Docket:

RM26ii

Roofs in Flammable Storage Tanks

Mail Stop RCE Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

APPLICANT'S SUBMISSION UNDER 37 CFR 1.114 IN SUPPORT OF REQUEST FOR **CONTINUED EXAMINATION**

Dear Examiner Patel:

In response to your Office Action mailed June 23, 2005, Applicants request continued examination pursuant to 35 U.S.C. 132(b) and 37 CFR 1.114.

As set forth in 37 CFR 1.114(a), an applicant may request continued examination of an application by filing a submission and the requisite fee prior to the earliest of (1) payment of the issue fee; (2) abandonment of the application; or (3) the filing of a notice of appeal to the U.S. Court of Appeals for the Federal Circuit or the commencement of a civil action. As none of the above matters have yet occurred, Applicants' Request for Continued Examination (RCE) is timely and proper. Further, Applicants' RCE is proper because prosecution in the subject utility application is closed, as the last Office Action of June 23, 2005 is a final action. Also please find the attached RCE fee under 37 CFR 1.17(e).

Please amend the application as follows:

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on: <u>September</u> 23, 2005

Philip de zeren